

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

United States of America,)	
	Plaintiff,)
vs.)	Case No. 05-0275-01-CR-W-FJG
Derrick E. Ashley,)	
	Defendant.)

ORDER

Pending before the Court is defendant's motion to suppress evidence and statements (Doc. #43), filed January 11, 2006, and the government's suggestions in opposition (Doc. #45), filed February 6, 2006.

On May 3, 2006, United States Magistrate Judge Sarah W. Hays entered a report and recommendation (Doc. #54) which recommended granting the above-mentioned motion. No objections to Magistrate Hays' report and recommendation were filed.

The Court, after independent review of the record and applicable law, adopts and incorporates by reference herein, the magistrate's findings and conclusions. Therefore, the Court finds that defendant's motion to suppress evidence and statements (Doc. #43), filed January 11, 2006, must be granted.

Accordingly, it is

ORDERED that the magistrate's findings and conclusions are hereby adopted and incorporated herein by reference. It is further

ORDERED that defendant's motion to suppress evidence and statements (Doc. #43), filed January 11, 2006, is granted.

/s/Fernando J. Gaitan, Jr.
Judge Fernando J. Gaitan, Jr.
United States District Judge

Dated: June 20, 2006
Kansas City, Missouri